

ENDING THE NATURALIZATION LAWS AND CREATING A BUREAU
OF COAST GUARD PATROL IN THE BUREAU OF IMMIGRATION.

NOVEMBER 8, 1919.—Committed to the Committee of the Whole House on the state of
the Union and ordered to be printed.

Mr. JOHNSON of Washington, from the ^{U.S. Congress, House,} Committee on Immigration
and Naturalization, submitted the following

REPORT.

[To accompany H. R. 10404.]

The Committee on Immigration and Naturalization of the House of Representatives reports H. R. 10404, a bill to amend the naturalization laws of the United States and to create a division of Coast Guard Patrol in the Bureau of Immigration, and recommends its passage.

The bill makes numerous amendments to present naturalization laws. One of the provisions of the bill, if enacted into law, will go far toward the Americanization and naturalization of aliens now in the United States to the extent of at least 11,000,000, or 1 in 10 of the entire population.

Certain provisions of the bill will assist to citizenship those aliens in the United States who are rightfully entitled to be "with us and of us" as a true part of our great democratic Republic, and other provisions will make it practically impossible for those who come among us understanding neither the fundamentals of our system of Government nor our language to join us as citizens.

The committee believes that the education of aliens has been neglected in years past. It notes with much interest the advance that has been made under the small encouragement given in a provision of the naturalization act of May 9, 1918 (less than 18 months ago), and believes that an extension of that service as provided in section 4 of H. R. 10404 will prove to be of great value. The plan proposed has the merit of being economical and effective. The scope is enlarged to include adult illiterate Americans, and is recommended because it makes use of the public schools of the country. The machinery is already in operation.

It is believed that this Americanization plan, together with the plan for certificates of citizenship (described later in this report), will result in the enrollment and registration of a large proportion

of the alien population. Thus, with the aid of a system of registration of aliens arriving in the future (such legislation being proposed in an immigration bill which the committee hopes to report at an early date) the number of unregistered, undigested aliens in the United States will be greatly reduced, so that those regarded as undesirable can be ascertained and proceeded against under our deportation laws.

AN OMNIBUS BILL.

H. R. 10404 amends three sections of present naturalization laws in numerous important particulars, adds new subdivisions to section 4 of the naturalization laws, and creates a badly needed land and coast patrol to the Immigration Service for the purpose of preventing surreptitious entry of aliens.

Your committee has thought best to divide its work and to report immigration and naturalization bills separately. A bill amending and revising the immigration laws is to be reported later it is expected. H. R. 10404, except one section, pertains entirely to naturalization, and is in the nature of an omnibus bill. It carries legislative provisions embraced in H. R. 1742 and H. R. 13212, by Mr. Dallinger; H. R. 3746, by Mr. Volsted; H. R. 5701, by Mr. Burdick; H. R. 6233, H. R. 9949, and H. R. 10034, by Mr. Johnson of Washington; H. R. 6804 and H. R. 9930, by Mr. Rogers; H. R. 9037 and H. R. 9314, by Mr. Voigt; H. R. 9174, by Mr. Hudspeth; H. R. 9416, by Mr. Lufkin; and H. R. 3911, by Mr. Welty.

PROVISIONS BRIEFLY STATED.

The bill requires ability to read and speak the English language as a prerequisite to naturalization.

It requires children and wives of naturalized aliens to take the oath of allegiance in open court in order to acquire American citizenship.

It extends the Americanization activities of the Bureau of Naturalization to illiterate native adults and recognizes civic, educational, community, racial, and other organizations in this work, under the direction of the public-school authorities, and authorizes appropriation of \$500,000 therefor.

It authorizes the issuance of United States citizenship certificates to the wife and children of the husband and father, and provides for a fee of \$1 for each certificate.

It corrects certain naturalization laws enacted during the Great War.

It gives recognition to those aliens discharged under honorable conditions who refused to claim exemption from military service during the war and who were not included in previous acts of Congress.

It recognizes the services in armies of the Allies by aliens resident in the United States, and permits such service to be substituted in lieu of continuous residence.

It prohibits filing declaration of intention for purposes of creating voters in States where aliens exercise the franchise.

It simplifies naturalization proceedings, in so far as they can be simplified by the elimination of unnecessary restrictions of the present law.

PROOF OF RESIDENCE.

The committee is of the opinion that as inasmuch as the United States is willing to naturalize those who can meet the conditions, the method should be neither cumbersome, expensive, nor made difficult by unnecessary restrictions. Therefore several provisions of this bill are to perfect certain sections concerning proof of residence.

Before proceeding to an explanation in detail of the provisions of the bill, the committee desires to call attention to statistics and other matters brought out at hearings held on various bills concerning naturalization, as follows:

[From statements of Hon. Raymond F. Crist, Director of Naturalization.]

I.

INCOME FROM NATURALIZATION FEES.

Foreigners who have sought American citizenship have turned into the Treasury \$4,745,436.79 in naturalization fees in the past 13 years, and the cost of all this Government activity has been but \$3,923,447.67. This makes a surplus of \$821,989.02 which has been paid to the Government by friendly foreigners through the Naturalization Bureau over all appropriations made for that bureau.

In nearly 3,000 cities and towns the school authorities have pledged their schools for educating the adult foreigners. There are thousands in the citizenship classes of the public schools. They are of all ages from 18 years to over 60 years.

H. R. 10404 will bring the illiterate Americans into these classes, and in 10 years will eradicate illiteracy and result in reducing the cost of administering the naturalization law and this educational work to less than the revenues the Government will then derive from the naturalization fees.

Under the plan of this bill this great educational undertaking will, therefore, at no time be an expense upon the taxpayers of the country; it will always be self-maintaining and revenue-producing.

II.

PROGRESS OF AMERICANIZATION MOVEMENT.

The Americanization movement began from a realization of the fact that fully 75 per cent of the average number of 200,000 aliens who are annually admitted to citizenship have been found to be unaware of the responsibilities of American citizenship and unequipped to discharge those duties and responsibilities.

The average of 200,000 admissions to citizenship annually refer both to those by direct application and by derivation through the provisions of the law which confer citizenship upon the wife and children born abroad of the petitioner. The wife and the children who are under 21 years of age derive their citizenship in that way. These new male citizens have been found so deficient in their understanding of our institutions of Government and our language as to be unable to serve on juries or to mingle with other American citizens because of a lack of understanding of our language, of which they have no comprehensive mastery. The women who have thus derived citizenship may as an entirety be referred to as having never spoken a sentence in our language and as having less regard for our institutions of Government than when they left the lands of their nativity and turned their faces toward the setting sun. The ideals they then entertained were based upon report of America as a land of freedom for women. Their utter isolation from America and American contacts in the distinctly foreign atmosphere of their homes where foreign languages alone are spoken, leaves them in a position to gain an entirely false notion of America. These derivative citizens are having the reins of Government placed in their hands by the extension throughout wider areas of the right of suffrage to women.

III.

UNNATURALIZED FOREIGNERS IN THE UNITED STATES.

The CHAIRMAN. What is your estimate of the number of unnaturalized aliens in the United States?

Mr. CRIST. I think there are in the neighborhood of 11,000,000 who are not citizens; there are probably 2,000,000 and maybe 2,500,000 of that 11,000,000, who have declared their intention, leaving in the neighborhood of 8,500,000 to 9,000,000 who have taken no steps toward American citizenship.

The CHAIRMAN. And we are putting them into citizenship at the average rate of 200,000 a year?

Mr. CRIST. The average has increased in the last two years. For example, from July 1, 1918, to June 30, 1919, there were 346,827 aliens who declared their intention as against 137,229 in the year ended June 30, 1908.

IV.

Foreign born applying for citizenship through the Bureau of Naturalization.

Years.	Net immigration. ¹	Total incoming immigration.	Declarations filed.	Petitions filed.	Total candidates.	Total applying for citizenship. ²
1907.....	1,007,163	1,285,349	³ 73,723	.....	.....	.....
1908.....	200,867	782,870	137,229	.....	.....	.....
1909.....	542,843	751,786	145,794	.....	.....	.....
1910.....	817,619	1,041,570	167,226	.....	.....	.....
1911.....	512,085	878,587	186,157	.....	.....	.....
1912.....	401,863	838,172	169,142	.....	.....	.....
1913.....	815,303	1,197,392	181,632	.....	.....	.....
1914.....	769,276	1,218,480	214,016	.....	.....	.....
1915.....	50,070	326,700	245,815	.....	.....	.....
1916.....	125,941	298,826	207,935	.....	.....	.....
1917.....	216,498	295,403	438,748	.....	.....	.....
1918.....	18,585	110,618	335,069	174,409	509,478	1,082,640
1919.....	20,790	237,021	346,827	234,903	581,730	1,236,176

¹ Represents the additions to the foreign population after deducting the outgoing and nonimmigrant incoming aliens from the total incoming immigration.

² Including derivative citizens.

³ 9 months only.

Field of annual contact of the Federal Government and the cooperating public schools with the immigrant population seeking citizenship, compared with annual immigration to this country. This contact can only be effected through the division of citizenship training of the Bureau of Naturalization.

Years of experience and counts repeatedly made show an average of 1.125 of citizens derive citizenship through the petitioner.

PARAGRAPHS OF BILL EXPLAINED.

CERTIFICATES OF ARRIVAL DISPENSED WITH.

The first paragraph, section 1 of this bill, repeals the requirement for a certificate of arrival to be filed by the alien at the time he petitions for naturalization. Thirteen years of administrative experience has derived no benefit from this provision, and its repeal will remove an unnecessary obstacle in the way to naturalization of the alien and in no way lessen the effectiveness of the law.

PROTECTION OF THE FRANCHISE.

Paragraph 2, page 2, at line 7, makes it unlawful for a declaration of intention to be filed for the purpose of making voters in any of the four States where aliens are entitled to the franchise, by prohibiting the filing during 30 days preceding any election. These States are Indiana, Missouri, Arkansas, and Texas.

RECOGNITION OF LOYAL ALIEN SOLDIERS.

Paragraph 3, page 3, at line 17, waives the requirement of continuous residence to those patriotic alien declarants or aliens who resided in the United States prior to the commencement of the war and who returned to their sovereignties to enter the military or naval service against the Central Powers. This privilege is extended only in those cases where the aliens proceed to complete their naturalization within two years after returning to the United States, and provided they return on or before July 1, 1920.

ALIEN UNITED STATES SOLDIERS PREVIOUSLY OVERLOOKED NOW RECOGNIZED.

Paragraph 4, page 3, at line 19, makes provision for those aliens who waived exemption under the selective service act, but who through some physical disability were not ordered to the front, but were honorably discharged without doing actual military service. Provision has been made for the naturalization of all other aliens who were willing to serve this country. These aliens were unintentionally overlooked heretofore.

DECLARANTS SENT ABROAD BY UNITED STATES.

Paragraph 5, page 4, at line 12, relieves alien declarants selected by the Federal Government for service abroad from proving continuous residence within the United States during the five-year period.

AMENDMENT OF PETITIONS ALLOWED.

Section 2 adds two subdivisions, 14 and 15, to section 4 of the act of June 29, 1906. Subdivision 14 permits of the amendment of petitions for naturalization and declarations of intention in the same manner accorded all other judicial bills and pleadings. This does not remove any restriction which the present law places upon the admission to citizenship.

CERTIFICATES TO DERIVATIVE CITIZENS.

Subdivision 15, page 6, at line 1, in the first paragraph, provides a certificate of United States citizenship that shall be legal evidence for those aliens acquiring American citizenship in other ways than by direct naturalization. Those who are embraced within these classes are American Indians severing their tribal relations and becoming American citizens, the minor children born abroad of a naturalized American citizen, the wife of a naturalized American citizen, the natural born unmarried minor children of a widow who marries an American citizen, the foreign-born adopted children under 18 years of age. All of these who belong to these classes must be residing within the United States to derive American citizenship.

REQUIREMENT TO READ AND WRITE ENGLISH AND OATH OF ALLEGIANCE.

Paragraph 2, page 6, at line 11, requires the appearance in open court, giving evidence of ability to speak and read the English language, and of attachment to the principles of the Constitution of

the United States, the renunciation of all foreign allegiance, and the taking of the oath of allegiance to the United States before citizenship may be acquired by any in the special classes referred to.

PRESERVES CITIZENSHIP HERETOFORE ACQUIRED.

Paragraph 7, page 8, at line 9, contains a proviso which will prevent those who shall have acquired the rights and privileges of American citizenship prior to the approval of this act from having those rights and privileges disturbed.

PENAL CODE APPLIED.

The remaining paragraphs of this subdivision apply the penal laws of the United States relating to certificates of naturalization to the unlawful use of these certificates, and require the fees to be accounted for and deposited in the Treasury of the United States in the manner prescribed by section 13 of the act of June 29, 1906.

SIMPLIFIED METHOD OF PROVING RESIDENCE.

Section 3, page 9, at line 7, effects a simplification of the method of proving residence by the alien. It permits residence outside of the county in which the alien files his petition for naturalization to be established by depositions, even though that residence be within the State in which the alien petitioner resides. In large industrial centers it permits residence in two places in the same county to be established by two sets of witnesses where the alien is, by reason of removal from one part of the county to another, unable to find two American citizens who have known him during all of his residence in these various parts of the county.

AMERICANIZATION PLAN.

Section 4, page 10, at line 11, extends authority of the Division of Citizenship Training of the Bureau of Naturalization. This division is now promoting the public schools in the work of instructing foreigners who are candidates for naturalization. It has effected a reorganization of virtually the entire public-school systems of the United States, so that for the first time in the history of the Nation provision is made for adults to secure an education in the common-school studies without being obliged to attend classes primarily organized for children. These classrooms have not only been attended by foreigners who are candidates for naturalization, but they have been sought by illiterate adult Americans eager to overcome their illiteracy. Reports from school authorities and evidence submitted to the committee showed 4 per cent of those attending these classes to be Americans. The six leading nationalities were Italians, 9.4 per cent; Poles, 8 per cent; Portuguese, 4.3 per cent; Americans, 4 per cent; French, 4 per cent; and German-Russians, 3.6 per cent; out of a total of 78 nationalities found in these classes. All of this organization of the public schools has been effected at no cost to the citizen taxpayer. It negatives the assertion that funds from the Treasury of the United States are a prerequisite to the performance by the public schools of any community of their educational duties.

In every State of the United States and in Alaska citizenship classes have been organized by the public schools, not primarily for the American adult illiterate but primarily for the foreigner at the instance of the Division of Citizenship Training of the Department of Labor. This has been made possible of accomplishment through a Government agency solely because there are over a million foreign who annually come into contact with the United States Government through the Bureau of Naturalization. The committee believes by authorizing this bureau to promote the organization of the public schools to include in their work the adult American illiterate that it will secure the attendance of the illiterate adult Americans upon these citizenship classes. It believes that the American adult illiterate should receive the invitation of the Government to attend these classes in citizenship training. It believes also that this influence will be the deciding element to prevail upon them to take the step which will mean their mental, bodily, and spiritual reformation. The salutary effects that will come from the meeting together of these two currents of American humanity, the foreign born and the native born, under the supervision of the Government and the public schools in an endeavor to overcome the handicaps of their earlier environment will go to the very foundation of those disturbances which are the outgrowth of ignorance.

The committee believes that in view of present demands upon the United States Treasury this method of dealing with the educational problem of the country should be adopted, because it is truly economical, and because it has been proved successful. No other plan must from its nature be an experiment and upon a costly basis adding millions of dollars to the burden of the taxpayers annually, and perpetuate an organization costing millions annually until it can be determined whether the experiment will ultimately prove itself to be an expression of the democratic ideals of the country or a system which may mean a departure from those ideals of equality which have heretofore characterized our American education. Through this bureau this section authorizes the dissemination of information regarding the institutions of the United States so as to stimulate loyalty to those institutions. The committee knows no better agency than the public schools to accomplish this work. There are, however, many organizations—commercial, educational, racial, and others—that are now aiding the Division of Citizenship Training in this patriotic work and assisting in organizing the public schools for their wider use in imparting the fundamentals of education and civic training.

This section proposes the extension of this influence to the residents of the Panama Canal Zone. The time may come when Congress may desire to extend naturalization jurisdiction to the United States district court in the Canal Zone and the committee believes that the best results will be attained if the residents of the Canal Zone are prepared in advance for those responsibilities by becoming educated both in our language and in our institutions of Government.

READING AND WRITING PROVISION.

Section 5, page 11, at line 10, amends section 8 of the present naturalization law. It adds the requirement to read the English language to that of speaking it as at present required. It defers the

requirement for one year after the approval of the English language a ground for the dismissal of the petition for naturalization but for the continuance of the petition to enable the petitioner and those deriving citizenship through him to overcome this disability in the public schools which are now available all over the land.

AUTHORIZATION OF APPROPRIATION.

Section 6, page 12, at line 1, recommends the appropriation of \$500,000 to give force and effect to the foregoing provisions and sections of the act.

DIVISION OF PATROL GUARD.

Section 7, page 12, commencing at line 10, provides for the establishment of the division of patrol guard in the Bureau of Immigration Department of Labor to enforce the provisions of the immigration laws and in part the act of May 22, 1918, as amended. The reason for this is well known to the committee by those who have been before it and shown that aliens are surreptitiously crossing the borders of the country in violation of the act referred to in the foregoing. It recommends the appropriation of \$250,000 to give force and effect to this section. Thousands have entered at unauthorized points along the Mexican border recently. Dr. John W. H. Smith, medical officer at the El Paso public health station, reports that hundreds of the most undesirable classes are entering daily, posing a serious menace to the health of the country. Other reports show that liquor smugglers and smugglers of aliens work together; that many aliens are smuggled across the Canadian waters; that the waters of Lower California, Puget Sound, and Great Lakes should be patrolled.

REPEAL OF SECTION 1994.

Section 8 provides for the repeal of section 1994 of the Revised Statutes, which is embodied in the bill at lines 1, 2, and 3, on page 8, with the proviso that any woman who shall hereafter be married to a citizen of the United States is required to take the oath of allegiance. Section 8 also provides for the repeal of all acts or parts of acts inconsistent with the provisions of this act.